

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KYLE KIMOTO,

Defendant.

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Case No. 07-CR-30089-MJR

ORDER

REAGAN, District Judge:

On July 29, 2010, the Court denied Kyle Kimoto's *pro se* motion to correct sentence pursuant to Fed.R.Crim.P. 35(a) because he is represented by counsel and is not entitled to also represent himself by filing motions without the aid of his counsel. 28 U.S.C. § 1654; *McKaskle v. Wiggins*, 465 U.S. 168 (1984); *United States v. Kosmel*, 272 F.3d 501, 506 (7th Cir. 2001) (Docs. 208, 209). On August 10, 2010, Kimoto filed a *pro se* motion asking the Court to reconsider its July 29 Order, submitting that counsel has moved to withdraw from representing him (Doc. 212).

Neither this district court nor the appeals court has relieved Kimoto's counsel from representing him. Because Kimoto is represented by counsel he is not entitled to file motions without the aid of his counsel.

Accordingly, the Court **DENIES** Kimoto's *pro se* motion for reconsideration of his Rule 35(a) motion (Doc. 212).

IT IS SO ORDERED.

DATED this 13th day of August, 2010

s/Michael J. Reagan
MICHAEL J. REAGAN
United States District Judge